

## RESOLUTION NO. 00-79

**RESOLUTION CREATING RURAL SPECIAL IMPROVEMENT DISTRICT  
KNOWN AS R.S.I.D. #674 AND MAINTENANCE DISTRICT KNOWN AS R.S.I.D. #674M  
LONGHORN WAY, OXBOW WAY, LATIGO & BITTERROOT STREETS**

WHEREAS, the Board of County Commissioners of Yellowstone County, Montana, met in regular session and executed a Resolution of Intent to Create a Rural Special Improvement District #674 and a Rural Special Improvement Maintenance District #674M for properties fronting Longhorn Way, Latigo Street and several properties fronting Oxbow Way, and Bitterroot Drive for the purpose of paving streets and for the maintenance of said streets, as shown on Exhibit A and,

WHEREAS, the Clerk and Recorder published the Notice of the passage of Resolution of Intent to Create said District in the Billings Gazette on June 30 & July 7, 2000, and mailed a copy of the Notice to every person, firm or corporation owning property in the District; and,

WHEREAS, the Board of County Commissioners hereby finds, determines and declares that:

1. That the public interest or convenience requires the creation of a Rural Special Improvement District and Maintenance District as hereinafter described;
2. That the costs of the repair and improvements and providing maintenance shall be borne by owners of the property included within the boundaries of the Rural Special Improvement District with all lots being assessed an equal amount based upon the total cost of the improvements, except for Lot 2, Block 1 of Oxbow Subdivision which will be assessed 37% of the amount charged the other properties;
3. The purpose of forming the District is to provide not only for the necessary repairs and improvements, but to ensure for the future operation, maintenance and preservation of the roadway so repaired;
4. That the Commissioners have been presented with a valid Petition to create the proposed District;

NOW, THEREFORE, BE IT HEREBY RESOLVED by the Board of County Commissioners of Yellowstone County as follows:

1. The Commissioners have acquired jurisdiction to order proposed improvements, and they do hereby create Rural Special Improvement District #674 for the purpose of improving the roadway system and to create a Special Maintenance District #674M to provide for the annual maintenance, operation and preservation of the repaired and improved roadway system. Such improvements are more particularly described in Exhibit C, attached hereto and by this reference incorporated herein.

2. The projected annual assessments per property are hereby described and designated on Exhibit B attached hereto, and H.L. Ostermiller shall construct the improvements as noted in #1. The boundaries of said District are shown on the map attached hereto as Exhibit A.

3. The number of the Rural Special Improvement District shall be No.674 and the number of the Maintenance District thereof shall be No.674M.

4. The estimated costs of the repairs and improvements, including construction costs, incidental expenses, engineering fees, legal fees, administrative costs, exclusive of interest charges, that will be assessed against the property shall be the sum of \$58,192, as more particularly described in Exhibits B and D attached hereto and spread over a period of eight (8) years.

5. All lots accessing their property from the improved streets will benefit from proposed R.S.I.D. and shall be assessed for the improvements and subsequent road maintenance. All lots will be assessed an equal amount based upon the total cost of the improvements, except for Lot 2, Block 1, Oxbow Subdivision, which will be charged a 37% assessment. Assessments are to be made on property tax statements beginning in November, 2000 or in November, 2001 if the assessment deadline for the 2000 tax statement is missed (See Exhibit D). The first year's assessment may include more than one (1) year's interest and subsequently the first year's payment may be higher than the second through eighth year's assessments. Property owner will have an opportunity to pay off their original principal assessment without interest at the time of original assessment. The estimated original assessment per lot is \$1600.00; over an eight (8) year 8.5% Estimated Annual Debt Assessment, the annual cost is estimated at \$283.73 for each lot.

6. Prior to authorizing the use of the County's revolving fund to secure the payment of rural special improvement district bonds that will be issued to fund the cost of constructing and upgrading the improvements in the District, the Commissioners shall take into consideration the factors enumerated in 7-23-3285(3)(1997), M.C.A. The factors that the Commissioners shall take into consideration when determining whether it is in the public interest to secure the payment of rural special improvement district bonds with the County's revolving fund are compiled in Exhibit B attached hereto and with this reference incorporated herein. The bonds will be secured by a 4% (\$2,327.68) debt reserve, which would be utilized before the RSID Revolving Fund for any debt service deficiency.

7. The Commissioners desire that an Ad Hoc Committee be appointed to make recommendations to the Commissioners with regard to the need for assessments to be made for the maintenance and the amount of such assessments, and how said assessments should be spent. The Commissioners ask that the Petitioners submit a list of some individuals who are willing to serve on the Ad Hoc Committee.

Page 3  
Resolution Creating  
R.S.I.D.#674/674M

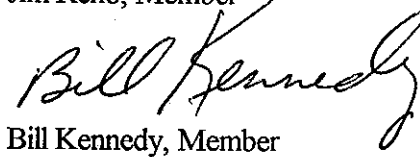
PASSED AND ADOPTED by the Board of County Commissioners of Yellowstone County,  
Montana, this 21st day of July, 2000.

Board of County Commissioners  
Yellowstone County, Montana

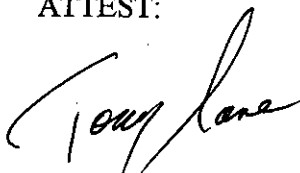
(SEAL)

  
James A. Ziegler, Sr., Chair

  
Jim Reno, Member

  
Bill Kennedy, Member

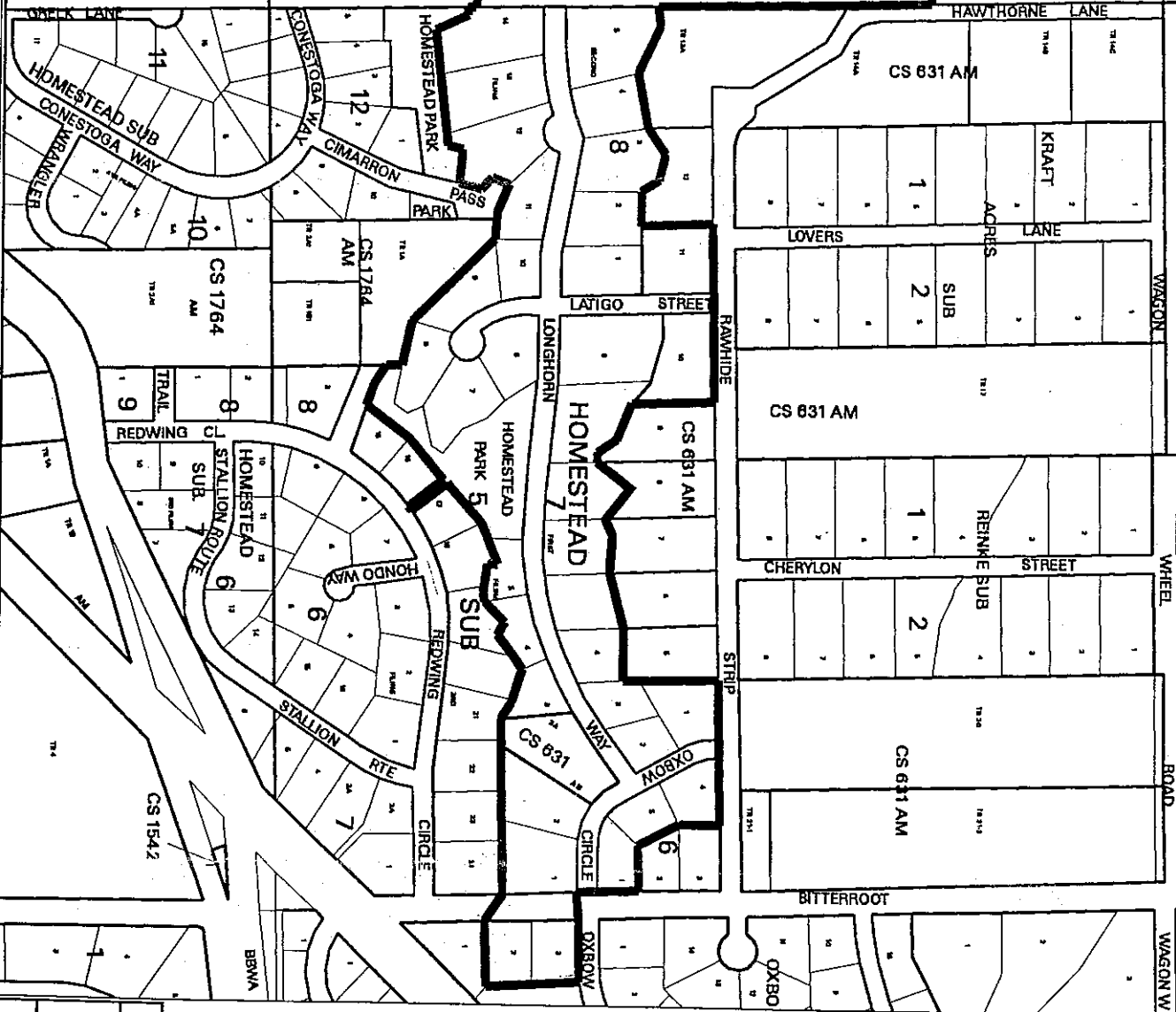
ATTEST:

  
Tony Nave  
Clerk and Recorder

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YELLOWSTONE COUNTY GIS  
BILLINGS, MONTANA

PROPOSED LONGHORN RSID

SCALE: 1" = 500'

DATE: 22 Jun 00 11:40:19 Thursday

FILENAME: \\ddk\k\l\c\records\longhorn.rctm

# RESOLUTION CREATING - EXHIBIT B: RSID 674 - LONGHORN WAY ESTATES: ROAD OVERLAY

TAX CODE	OWNER'S NAME(S)	LOT	Block	SUBDIVISION	Improved (1) or Vacant (0)	Market Valuation	(B)	(C)	(D)	(E)=(C)x1,508.20	(F)=(E)x(A)	(G)=(B)-(D)-(E)	(H)=(B)-(D)-(E)
								Units of Assess.	Taxes as of 6/20/00	Estimated Assessment on RSID 668	Assessments on Improved Properties	Positive Net Values	Negative Net Values
1 C06409	RECOR, RICHARD & ANITA	1	5	Homestead Sub	1	88,058		1	\$ 832.47	\$ 1,600.00	\$ 1,600.00	\$ 85,626	
2 C06410	WEICHEL, THOMAS & KATHLEEN	2	5	Homestead Sub	1	85,707		1	\$ -	\$ 1,600.00	\$ 1,600.00	\$ 84,107	
3 C06411	KNUDSON, DON & LOLA	3	5	Homestead Sub	1	77,228		1	\$ -	\$ 1,600.00	\$ 1,600.00	\$ 75,628	
4 C06412	THREATT, JAMES & MARILYN	445	5	Homestead Sub	1	149,326		1	\$ -	\$ 1,600.00	\$ 1,600.00	\$ 147,726	
5 C06414	BAILEY, DELBERT & JUDY	6	5	Homestead Sub	1	108,281		1	\$ -	\$ 1,600.00	\$ 1,600.00	\$ 106,681	
6 C06415	BAILEY, DELBERT & JUDY	7	5	Homestead Sub	0	4,580		1	\$ -	\$ 1,600.00	\$ -	\$ 2,980	
7 C06416	BAILEY, DELBERT & JUDY	8	5	Homestead Sub	0	4,236		1	\$ -	\$ 1,600.00	\$ -	\$ 2,636	
8 C06417	BAILEY, DELBERT & JUDY	9	5	Homestead Sub	0	4,580		1	\$ -	\$ 1,600.00	\$ -	\$ 2,980	
9 C06418	BAILEY, DELBERT & JUDY	10	5	Homestead Sub	0	3,234		1	\$ -	\$ 1,600.00	\$ -	\$ 1,634	
10 C06419	STOCKMAN, DAVID & NANCY	11	5	Homestead Sub	1	66,307		1	\$ -	\$ 1,600.00	\$ 1,600.00	\$ 64,707	
11 C06420	SOULSBY, ARTHUR	12	5	Homestead Sub	0	6,388		1	\$ -	\$ 1,600.00	\$ -	\$ 4,788	
12 C06421	SOULSBY, ARTHUR	13	5	Homestead Sub	1	113,454		1	\$ -	\$ 1,600.00	\$ 1,600.00	\$ 111,854	
13 C06422	HAILSTONE, JOHN	14	5	Homestead Sub	1	59,490		1	\$ -	\$ 1,600.00	\$ 1,600.00	\$ 57,890	
14 C06423	SCHULZ, THOMAS	1	6	Homestead Sub	1	58,156		1	\$ -	\$ 1,600.00	\$ 1,600.00	\$ 56,556	
15 C06426	GRIFFITH, ROBERT & ROXANNE	4	6	Homestead Sub	1	64,802		1	\$ -	\$ 1,600.00	\$ 1,600.00	\$ 63,202	
16 C06427	EMBORG, DICK & SANDRA	5	6	Homestead Sub	1	68,467		1	\$ -	\$ 1,600.00	\$ 1,600.00	\$ 66,867	
17 C06428	Boother, Thomas & Armstrong, Lisa	1	7	Homestead Sub	1	77,568		1	\$ -	\$ 1,600.00	\$ 1,600.00	\$ 75,968	
18 C06429	COONITZ, JESS	2	7	Homestead Sub	1	79,422		1	\$ -	\$ 1,600.00	\$ 1,600.00	\$ 77,822	
19 C06430	LARSON, CAMERON & HOLLY	3	7	Homestead Sub	1	70,709		1	\$ -	\$ 1,600.00	\$ 1,600.00	\$ 69,109	
20 C06431	SWENSGARD, JAMES	4	7	Homestead Sub	0	12,127		1	\$ -	\$ 1,600.00	\$ -	\$ 10,527	
21 C06432	HYLLAND, MELVIN & VICKI	5	7	Homestead Sub	1	82,790		1	\$ -	\$ 1,600.00	\$ 1,600.00	\$ 81,190	
22 C06433	POLETTE, THOMAS & JULIANN	6	7	Homestead Sub	0	4,381		1	\$ -	\$ 1,600.00	\$ -	\$ 2,781	
23 C06434	POLETTE, THOMAS & JULIANN	7	7	Homestead Sub	1	129,252		1	\$ -	\$ 1,600.00	\$ 1,600.00	\$ 127,652	
24 C06435	BROWN, BENJAMIN	8	7	Homestead Sub	1	91,690		1	\$ -	\$ 1,600.00	\$ 1,600.00	\$ 90,090	
25 C06436	MACKI, MICHAEL	9	7	Homestead Sub	1	89,220		1	\$ -	\$ 1,600.00	\$ 1,600.00	\$ 87,620	
26 C06437	MILWAUKEE MOTOR TRANSPORT	1	8	Homestead Sub	0	4,900		1	\$ -	\$ 1,600.00	\$ -	\$ 3,300	
27 C06438	COLLIER, KEN & SANDRA	2	8	Homestead Sub	1	79,842		1	\$ -	\$ 1,600.00	\$ 1,600.00	\$ 78,242	
28 C06439	NORVILLE, TERRILL & VIRGINIA	3	8	Homestead Sub	1	83,585		1	\$ -	\$ 1,600.00	\$ 1,600.00	\$ 81,985	
29 C06440	HANDLEY, CHRIS & LISA	4	8	Homestead Sub	0	4,725		1	\$ -	\$ 1,600.00	\$ -	\$ 3,125	
30 C06441	HINTON, RICHARD & BRENDA	5	8	Homestead Sub	1	68,182		1	\$ -	\$ 1,600.00	\$ 1,600.00	\$ 66,582	
31 C06873	HOLM, CLIFFORD & FAYE	2	1	Oxbow Sub	0	9,880		0.4	\$ -	\$ 592.00	\$ -	\$ 9,288	
32 C06874	HOLM, CLIFFORD & FAYE	3	1	Oxbow Sub	1	89,299		1	\$ -	\$ 1,600.00	\$ 1,600.00	\$ 87,699	
33 C04948	CHOPP, EDWARD & HEIDI	C/S 2012 AMND TR 5A-M			1	124,065		1	\$ -	\$ 1,600.00	\$ 1,600.00	\$ 122,465	
34 C04952	BUCHER, WAYNE	C/S 631 3RD AMND TR 2A			0	11,088		1	\$ -	\$ 1,600.00	\$ -	\$ 9,488	
35 C04958	HOFFMAN, GEORGE & PEG	C/S 631 3RD AMND TR 10			0	6,142		1	\$ -	\$ 1,600.00	\$ -	\$ 4,542	
36 C04959	MCADAM, FRANK & HELEN	C/S 631 3RD AMND TR 11			0	6,035		1	\$ -	\$ 1,600.00	\$ -	\$ 4,435	
37 C07607b	Homestead Park				0	8,717		1	\$ -	\$ 1,600.00	\$ -	\$ 7,117	
TOTALS					23	2,095,913		36.4	\$ 832.47	\$ 58,192.00	\$ 36,800.00	\$ 2,036,889	\$ -
Virginia Norville 245-4743													
BOND AMOUNT										\$ 58,192			
ASSESSMENT UNITS										36.37			
ORIGINAL ASSESSMENT PER UNIT										\$ 1,600.00			
BOND AMOUNT										\$ 58,192			
ASSESSMENTS ON IMPROVED PROPERTY										\$ 36,800			
% OF IMPROVED PROPERTY TO TOTAL										63.24%			

NOTES: 1) There are no other bonded County Rural Special Improvement Districts (RSID) on these properties. There are no bonded City SIDs on these properties.  
2) C06412 is billed as one assessment because house occupies both lots. One of the lots could not be sold separately.  
3) C06873 has 50 out of 135 (37%) front feet as unpaved, so it received 37% assessment.

EXHIBIT C

RESOLUTION CREATING RSID 674 - LONGHORN WAY, OXBOW, CIRCLE, LATIGO &amp; BITTERROOT

## Contract/Proposal

**H. L. OSTERMILLER CONSTRUCTION, INC.**

302 Quiet Water Ave.  
 Billings, Montana 59105-2849  
 PHONE (406) 252-3588  
 FAX (406) 252-1850

PROPOSAL SUBMITTED TO	YELLOWSTONE COUNTY	PHONE	256-2793	DATE	REBID 7/13/00
CONTACT PERSON		FAX	256-2777		
STREET	P O BOX 35003	JOB NAME	SID R FOR LONGHORN WAY & MISC.		
CITY, STATE AND ZIP CODE	BILLINGS, MT 59105	JOB LOCATION	LONGHORN WAY BILLINGS, MT		
ARCHITECT	DATE OF PLANS		JOB PHONE		

HOT ASPHALT CONCRETE PAVING: SUPPLY & PLACE 2" COMPACTED ASPHALT  
 X 24' WIDTH AS LISTED:

- 1) LONGHORN WAY 2241 LF
- 2) OXBOW CIRCLE 706 LF
- 3) BITTERROOT DRIVE 263 LF
- 4) LATIGO STREET 690 LF W/ 1 CUL-DE-SAC @ 50' RADIUS
- 5) 11 EA - 24' MAXIMUM RADIUS

PERFORMANCE BOND: INCLUDED IN PRICE.

YELLOWSTONE COUNTY TO PERFORM ALL REQUIRED GRAVEL BASE PREP & TO  
 ESTABLISH CENTER LINE OR SHOULDER REFERENCE POINTS AS NEEDED.

We Propose hereby to furnish material and labor - complete in accordance with above specifications, for the sum of:

FORTY-FOUR THOUSAND FOUR HUNDRED AND 00/100----- dollars (\$ 44,400.00 )

Payment to be made as follows:

**DUE UPON COMPLETION**

All material is guaranteed to be as specified. All work to be completed in a workmanlike manner according to standard practices. Any alteration or deviation from above specifications involving extra costs will be executed only upon written orders, and will become an extra charge over and above the estimate. All agreements contingent upon strikes, accidents or delays beyond our control. Owner to carry fire, tornado and other necessary insurance. Our workers are fully covered by Workmen's Compensation Insurance.

Authorized  
Signature

Harvey L. Ostermiller

Note: This proposal may be

withdrawn by us if not accepted within 30 days.

**Acceptance of Proposal** -- The above prices, specifications and conditions are satisfactory and are hereby accepted. You are authorized to do the work as specified. Payment will be made as outlined above.

Signature

Date of Acceptance:

Signature

RESOLUTION CREATING RSID 674 - EXHIBIT D

RSID 674 - LONGHORN WAY, LATIGO STREET, OXBOW CIRCLE  
ESTIMATED COST OF STREET OVERLAY  
AS OF JULY 20, 2000

	<u>BUDGET</u>
Construction cost	44,400.00
Construction contingency - 20%	3,235.12
	-----
<b>TOTAL CONSTRUCTION COSTS</b>	<b>47,635.12</b>

**OTHER COSTS:**

Advertising / mailing / misc	650.00
Testing	1,200.00
Title reports	560.00
	-----
<b>SUBTOTAL</b>	<b>50,045.12</b>

**DEBT ISSUANCE COSTS w/ PRIVATE SALE:**

County RSID Revolving Fund Collateralization - 5% of debt issue	2,909.60
County Administration - 5% of debt issue	2,909.60
RSID Debt Reserve - 4% of debt issue	2,327.68

<b>TOTAL ESTIMATED DEBT REQUIREMENT</b>	<b>\$ 58,192.00</b>
	=====

st/excel/rsid/674/cost

Vice?

presented to play  
Montana, and  
the same.